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Via E-mail (Failla_NYSDChambers@nysd.uscourts.gov)

MEMO ENDORSED

November 26, 2019

Honorable Katherine Polk Failla, U.S.D.J.
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

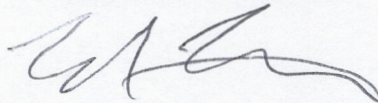
Re: Dutan v. E&M Ice Cream Inc. et al.
Docket No.: 19-cv-08701 (KPF)

Dear Judge Polk Failla:

Please be advised that this firm has been retained to represent defendants Mizzle Ice Cream Inc. and Manuel Ortiz (collectively "Mizzle Defendants") in the above-referenced matter. This letter shall serve as this firm's notice of appearance. Please note that I am in the process of applying for admission to the Southern District of New York and will hopefully be admitted within the coming weeks. Furthermore, this letter shall serve as Mizzle Defendants' request for an extension to respond to the Complaint until January 3, 2019 (i.e. the deadline for the co-Defendants E&M Ice Cream Inc. and Martin Kelly to respond to the Complaint). The additional time will provide me with the opportunity to secure admission to the Southern District, investigate the claims and defenses at issue and will also allow the parties to commence resolution discussions in advance of the upcoming mediation in this matter. Plaintiff consents to the extension.

Thank you for your attention to this matter.

Respectfully submitted,



Erich Eisenegger, Esq.

cc: All counsel of record (via e-mail)

The Court is in receipt of the above letter from counsel for Defendants Mizzle Ice Cream Inc. and Manual Ortiz ("Mizzle Defendants"). The application is GRANTED. The Mizzle Defendants shall answer or otherwise respond to the complaint on or before **January 3, 2020**.

Dated: December 6, 2019
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
UNITED STATES DISTRICT JUDGE